

## A Woman's Argument.

BY LILLIAN BARR.

Outside it was dreary and cold and wet. Inside on the hearth was the bright wood fire. And Larry lounged happily in its glow. And back of him the farm and the men to hire; Of the seed and soil and the planting days. Of his boys and girls and their pleasant ways; White low in her rocking chair by his side. Their mother sat sewing with busy skill; There were stockings and coats and frocks to mend. But her needle worked with a right good will Till some one knocked at the door, and then Her parlor was crowded with eager men.

"They wanted Larry—he must not refuse— 'The Party' on every good man had a claim. And the club had got most important news. Which they must discuss, or be much to blame." And indeed a stranger might well have thought That the country had been both sold and bought.

Then Larry stood up with an anxious look. But Lillie said, "What is it all about? For you see, good friends, 'tis a bitter night. And husbands are far better in the house. 'Well Mistress, you can't understand the case. But we want the right man in the right place.' Then Lillie looked up with a gracious smile— 'I agree with you, friends, and I'll tell you why: 'Tis a principle full of rare good sense, And exactly suits both Larry and I. Only this is the way I state the case: The right man, Masters, in the right place Is a husband at home in the evening!"

They bowed to the wife with a candid smile. And one of them answered, "Men never would roam If all of us had such a pleasant wife. If all of us had such a cheerful home, And Larry would be neither happy nor right If he left his wife and his home to-night."

And then when the house was quiet again Larry stooped low to his wife's pretty face: "Dear little woman, so wise and so true, You have made out a most excellent case; There's daytime for duty of every kind. And you may be sure you will always find Your husband at home in the evening!"

**PIONEER LIFE**  
IN THE  
**NORTH-WEST.**

BY JENNIE JONES.

So much injustice was done, and so many losses were sustained by the settlers, that this jumping of claims came in time to be considered the most heinous offence known, and, in self-defense, the otherwise peaceful and law-abiding pioneers came at last to resort to mob-violence to protect themselves and their homes, and many would-be claim jumpers were compelled to abide by the decisions of that most inexorable of judges—Judge Lynch.

A part of the lands included in the Mineral Point land office district, which came into market in 1852, were changed to the Stevens' Point land district, which was opened in the fall of 1853. There was a lapse of time between the change and the time of opening the Stevens' Point office. In the meantime the lands were being settled up rapidly, and when the office was opened there was a rush of settlers to secure their homes, and also a firm determination on the part of all that settlers should not be defrauded of their rights.

In connection with these changes occurred one of the most noted instances of mob-law in defense of claims with which the writer is acquainted. This occurred in Adams county, Wisconsin, near where the village of White Creek (then Cascade) now stands.

There was a man living there named Lamphire, who was possessed of a little money, but was destitute of principle, and had fully made up his mind to buy a piece of land of the government upon which some one had made improvements, if such a thing could be accomplished. Mob-law had not yet been practiced to any extent in that region, and he had not the fear of any such interference before him.

The opportunity for which he had been watching now seemed to offer. A young man named Samuel Barker had a claim on which he had made considerable improvements. Not thinking that any one would take unjust advantage, and being of rather an easy disposition, he allowed two or three days to elapse before he visited the land office, it not being quite convenient to do otherwise. The knowledge of this came to Lamphire, and he set out on foot to the Stevens' Point land office, the roads being bad, with the intention of getting Barker's claim. But he was indiscreet enough to inform some one of his intention before starting, and he was hardly on the road before Barker was informed of his journey and his errand. He was also soon on his way, on horseback, bent on the same errand, and, taking a nearer route, was at Stevens' Point, had his land paid for, and his deed made out, about three hours before Lamphire arrived, foot-sore and weary, only to find himself too late.

He accepted his disappointment with as good a grace as it was possible for him to assume, but took the opportunity to look over the land office books to see what opportunities might offer in future. He found that the pre-emption of one Jimmy Gaines, taken out at the Mineral Point office, had expired, and that the land was now in the market at government price. This was an unexpected discovery, as he knew that Gaines (a hard-working Irish farmer, and a near neighbor) had been making efforts to procure money for the purchase of the land, and he had himself heard him say that he had been successful, that he had sent the required sum to the land office, and that he had been in time.

The facts were that Gaines had made his arrangements all right, but that the man by whose hands he had sent the money had been negligent, and had put off going to the land office for a few days, not with any wilful intent, but through the spirit of "putting off," to which we are all more or less subject.

This was such an opportunity as Lamphire would not hesitate to seize, and no feeling of neighborly kindness, no sympathy for the man whom he knew had worked hard to make a few improvements, and who, while supporting a large family, had put forth almost superhuman exertions to obtain the small sum of money which would give him a title to his home, prevented Lamphire from taking an unfair advantage and possessing himself of the land.

Armed with the papers which gave him a legal title to his neighbor's farm, together with all the improvements thereon, he was soon on his way home, and

once there took no pains to conceal his "luck," as he chose to call this piece of injustice.

Gaines called upon Lamphire, and telling him how matters stood, offered to give him back all that he had paid out, together with a liberal bonus, if he would only make out the deed to himself. Failing in his efforts, neighbors came to his assistance and offered all arguments of right and justice, and even eloquent persuasions were used, but all to no purpose. Being afraid, or ashamed, to persist in his resolution in his own person, Lamphire, coward-like, at last attempted to cast the blame on his wife, saying that she refused to sign any deed he might give for the farm.

This was the only bold attempt at jumping a claim that had occurred in the neighborhood, and excitement ran high among the settlers, not only on account of sympathy with Gaines, but also from a knowledge that if they meekly submitted to an encroachment on the rights of one of their number all the others might reasonably look for similar treatment, in case that, through any unforeseen misfortune, an opportunity offered to dispossess them. Several days passed during which Lamphire was not spoken to on the subject, and he was beginning to congratulate himself that every one had made up their minds that they could not move him, either by legal or other means, and that he would be allowed peaceful possession of the estate. But it was the calm that precedes the storm.

He was sitting at his window one evening when he saw a company of men approaching and filing up the path that led to his house. He could see by the moonlight that their faces were concealed, and also that they wore such clothing as was calculated to disguise their persons, and he was not long in guessing their object. As they came on he had time to count them, and found that there were fourteen in the company. A dog belonging to Lamphire sprang out with a loud bark, when one of the men drew a pistol and shot him dead in his tracks.

Lamphire had already taken down a loaded shot-gun, and at this he raised the window and fired into the crowd. The shot hit one of the number, Urson Pooler, and taking effect in one of his lungs, inflicted a wound which, although not considered serious at the time, caused his death some two or three years after, the lung never healing, but ending in quick consumption.

These men had not come here without a determined purpose, but they were now exasperated beyond measure. They tendered money—government price—on the land, and demanded a deed. Lamphire resorted to the old dodge of throwing all responsibility on his wife, who, being appealed to refused point blank to give a deed to the place. A rope was produced, and being placed around Mrs. Lamphire, she was dragged into the yard and roughly handled, until, with the fear of hanging before her, she at last consented to sign the deed. She was accordingly conveyed back to the house, and papers made out and signed, which conveyed the disputed premises back to Gaines, the rightful owner.

Had these men met with a peaceful reception they would have conducted themselves in a peaceable manner, but the firing of the gun and wounding of one of their number roused all the fire in their natures, and they did not leave the house until they had committed some rash acts, and the house and furniture gave proof that it had been rudely dealt with.

Lamphire brought legal proceedings, in an attempt to re-possess himself of the land, on the ground that it had been obtained through fraud and intimidation, but he was not successful.

Through some means such matters always leak out, and Lamphire obtained the names of the parties who had paid him his evening visit. He had them prosecuted, and an indictment for riot was taken out against all fourteen of the men. But such was the public sentiment on the matter at the time, even with judge and jury, that the case could not be brought to a trial but was put off, on one pretext or another, term after term of court. Sometimes all the accused parties could not be found; at others important witnesses would be missing. There was skulking and dodging to avoid trial, and although well assured that they would never be called upon to suffer either fine or imprisonment, the rioters became tired of this and made a bold and successful move to end the matter. It never got into the records of local politics, nor was it generally known outside the "ring" which planned the maneuver, but this was the way it was done.

A district attorney was to be elected. He must be one pledged to the interests of the indicted rioters, or their case would go hard with them. A new lawyer had come into the country and had opened an office for the practice of law at Quincy, the county seat. Upon him they hit as the man most likely to be elected, and a very proper person, provided he could be won over to their side.

In a lonely spot on the banks of the Wisconsin river the bargain was made between two or three of the interested parties and Lawyer P—, which was to elect the latter district attorney and free the rioters from the difficulty under which they were placed. Almost without opposition P— was elected, and at the next term of court the suit was thrown out of court on some pretext, and the people did not trouble themselves to enquire too closely whether this pretext was wholly legal or otherwise. This effectually ended the jumping of claims in that vicinity, and everybody cried "Right!"

Lamphire found himself the most unpopular and despised man in that region, and was finally obliged to leave the country where everyone was against him, and where he had not a single friend.

Gaines, with all an Irishman's love for the spot he calls "home," settled down on the disputed land, raised his family there, and by steady and persevering industry prospered. He is living there at this time.

**LYNCH LAW.**  
It has always been a prominent characteristic of settlers in new countries to take the law into their own hands when

suffering from injustice, and to deal out retribution and punishment in their own way. This is called Lynch Law, a practice which, although generally harsh and severe, is seldom, in any great measure, unjust. There are no technicalities of law ever allowed to stand in the way of Judge Lynch's decisions, but the truth, and usually fair play and justice, are sought. An offender being once adjudged guilty of a crime, and sentence passed upon him, there is no delay, but summary punishment is dealt out at once. California and other mining countries have furnished striking examples of this practice, but the Northwest, although less wild and rough, less given to scenes that called for these extreme measures, is not wanting, in its early history, in examples of this kind.

In the Northwestern part of Wright county, Minnesota, in the year '49, I think, there occurred an instance of this kind that will bear relating:

In a lovely spot, some distance from any neighbors, lived an old bachelor named William Wallace, a peaceful, inoffensive, and an industrious man, who attended to his own business and was generally well liked. Some time in July of the year of which I write, Wallace was known to have received a considerable sum of money from the East. This money was known to have been mostly made up of two dollar bills on a certain New England bank. No great stress was put upon these facts at the time, but circumstances soon occurred to recall everything known in connection with this money.

A few weeks after it was received, a neighbor had occasion to go to the house of Wallace one morning to see him on business, and found the house unoccupied and having that deserted look, so quickly seen but so hard to describe, which made it apparent that no one had been there for some time. It was then remembered that Wallace had not been seen for several days. Search was instituted, and following a path down to a marsh where he had been known to have been cutting hay, the dead body of Wallace was soon discovered lying beside the path, with the back of his head crushed in, as if with a club or some heavy weapon. Further search was made, and the club with which the blow had evidently been struck (a sled stake) was found not far distant. From thence parties proceeded to the house. Nothing seemed to have been disturbed, but no money could be found about the place. A valuable gold watch, a large and heavy one of old English manufacture, was also missing, but there was nothing to give a clue to the perpetrator of the dark deed. So the body was decently buried, and the few friends who had known the man acted as mourners.

But the deed was not soon forgotten. The memory of the cold, stiff form found lying down there in the wet marsh, half hidden by the tall grasses, seemed to haunt the minds of those who saw it, and every circumstance that could possibly throw any light on the matter was brought to mind and talked over.

It was remembered that a man named Oscar F. Jackson, a neighbor of Wallace, had been helping him cut hay, and upon close investigation he was the last man known to have been in the company of Wallace. Suspicion after a time began to point to Jackson as the murderer, but without sufficient grounds on which to base a legal charge. He was closely watched, and a two dollar bill of the denomination known to have been owned by Wallace was traced to him. This was but a small matter, for numerous similar bills were found to be in circulation in the country. This was all, not much to read or to tell, and certainly not enough to convict a man, but a nameless something was afloat that marked Jackson as the culprit, and at last he was arrested on suspicion of murder.

He procured the ablest counsel to be had in that region, and after a fair and impartial trial, was acquitted.

But the matter did not end here. In spite of the decisions of judge and jury public opinion was against him, and in the minds of the people he was adjudged as guilty of "murder most foul." So strong was this prejudice against him, and so forcibly did it make itself felt, that on the day after his release from the county jail Jackson deemed it prudent to leave the place, and went to St. Paul, where friends who believed him to be innocent of the crime of which he was charged, took care of him, gave him employment, and looked after his personal safety and comfort. This went on for a month or more. Meanwhile, back in Wright county, the place of the murder, the memory of the deed was not allowed to rest in oblivion, but was kept fresh and new fuel was constantly added to the flame of public rage. A desire to avenge the deed arose in the minds of the people, and, like a little leaven, it gradually spread until the idea seemed to take possession of all that Jackson must suffer death for the murder of Wallace, for in spite of the lack of positive proof to that effect, he was firmly believed to be guilty of the crime.

Various means were resorted to to lure him back to his old home. At one time he was arrested on a trumped up charge of stealing a gun, but succeeded in obtaining his release as the justice before whom he was taken belonged in Wright county and had no jurisdiction in St. Paul.

So persistent were the efforts of the people of Wright county to capture Jackson that his friends at St. Paul became alarmed, and advised him to leave the country. They furnished him a disguise, gave him quite a sum of money, and one evening bade him good-bye, expecting him to go down the river, where he could obtain employment and be safe. Instead of doing this he went directly back to his old home, either to see his wife and family once more, or, as some supposed, to take with him the money which had been the cause of the crime.

Whatever was his motive, his presence in the neighborhood was discovered, and within an hour of the time of his arrival he was seized by a body of men, given a mock trial, convicted, and sentenced to be hung. He was then taken to the house of the murdered Wallace, a rope placed around his neck, and he was hung within a few feet of the door. His dead

body was left hanging there to be the sport of the elements, or the prey of wild beasts. There it hung, a sad commentary on the savage nature and unbridled passions of man, until his friends at St. Paul, learning of the occurrence, came and took it down and gave it a decent burial.

Years passed, and this story of early days was almost forgotten in the rush of passing events. Wallace had no relatives—at least none ever came to claim his home, and it passed into the hands of strangers. Improvements were being made on it, and among other things some sheds and piles of straw were removed. A boy was at work at this, and seeing some glittering thing, picked it up and found it to be a gold watch, the large, heavy cases well preserved, but the works so badly corroded as to be worthless. Near by was found a large leather pocket-book which seemed to have been well filled, but the contents dropped to pieces at a touch, and were so decayed by dampness and time as to be unrecognizable.

The watch was recognized by old settlers as the one that Wallace had once owned. From all this it seemed evident that the murderer had never carried off the wealth for which the crime had been committed. Nor was this all. The one who related this tale to me was a friend of Jackson, and had always believed in his innocence. Long after the discovery of the watch and pocket-book, he was in conversation with the attorney who had acted as counsel for Jackson at his first trial. All the parties to the transaction were dead, and they were talking the matter over, as we will talk over by-gone scenes. Said the friend:

"You, as an attorney, must have known the truth of the matter, and at this late day it can do no harm to tell it. Was Jackson guilty or not guilty of the crime of which he was accused, and for which he suffered death?"

Said the gray-haired attorney: "I have always made it a point in defending criminals, to know from them the exact truth of the matter, so that I may know how to act to the best advantage. I represented this to Jackson and said to him: 'If my client is innocent I can press my witnesses on all points. If guilty there are some things that it is best to pass over lightly.' To this Jackson made reply: 'I think it will be best to pass them over lightly.'"

So even in this conviction on circumstantial evidence the decision of "Judge Lynch" was found to have been just; and if the sentence was not justifiable, it was more the fault of the times than of the men who executed it.

**ANOTHER CASE.**

In Wausara county, Wisconsin, in its early days, occurred another case of lynching which illustrates the wild and lawless spirit of the times. If this spirit was usually kept in check it only wanted an opportunity to burst into life, only a spark was needed to kindle the flame, and it would spread, like the prairie fire, until it was beyond the power of control.

At this late day we are unable to give the names of any of the parties, but can vouch for the correctness of the facts related:

There was living in the pine regions of this county a man who was generally known as a desperate character, and who was universally feared. For some lawless act of his a warrant was issued and placed in the hands of the Wausara county sheriff, to whom was assigned the undesirable task of arresting this desperado and bringing him to trial. This man, whom for convenience in mentioning we will call Baxter, had resolved not to be taken, and being closely pressed by the sheriff who was a brave man, drew a pistol and shot him dead, then coolly walked off, not even trying to escape, but trusting to the reputation which he bore as a bully and a dangerous man to save him from molestation.

But he was not the only brave or reckless man in that region, and it was decreed that he should not escape so easily. The life of an officer, engaged in the peaceable discharge of his duties, had been taken, and now it was determined that the life of the lawless desperado who committed the deed should pay the penalty. A night was appointed on which to execute vengeance, and from the lumber camps, from homes, and from, no one knows where, a large body of men collected with a determination to avenge the murder.

[To be Continued.]  
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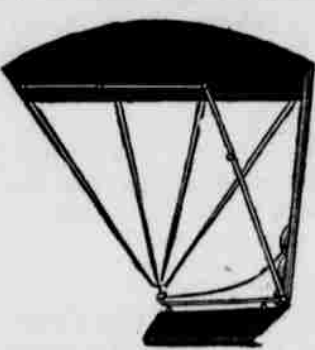
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